

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 27 OCT 2005

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Applicant's or agent's file reference WO 76.0825/PR		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/IB2004/003976		International filing date (day/month/year) 01.12.2004	Priority date (day/month/year) 02.12.2003	
International Patent Classification (IPC) or national classification and IPC G06F1/00				
Applicant AXALTO SA et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 25.05.2005		Date of completion of this report 26.10.2005		
Name and mailing address of the International preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Meis, M Telephone No. +49 89 2399-		



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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-6 as originally filed

Claims, Numbers

1-9 as originally filed

Drawings, Sheets

1/2-2/2 as originally filed

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-9
	No: Claims	
Inventive step (IS)	Yes: Claims	1-9
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

SECTION V

1. The claimed invention pertains to write access control to a sector of flash memory.

For being able to write to a partition (group of pages) of a sector of the flash memory, the whole sector may have to be erased.

The problem underlying the invention lies in that, when an owner of data wishes to write to a partition of a sector, partitions of the sector not owned by the owner may have to be erased.

To avoid this problem, the invention proposes to check an additional rule to check whether to allow erasure of the entire sector

This feature of the method of cl. 1 and of the electronic module of cl. 5 is disclosed in none of the cited prior art documents.

The subject-matter of claims 1 and 5 is therefore new (Article 33(2) PCT).

The solution proposed in claims 1 and 5 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons because neither the problem, nor the inventive solution are derivable from the cited prior art:

- (a) US-A-5 974 500 (STEINMETZ MICHAEL J ET AL) 26 October 1999 (1999-10-26) discloses access control to pages of sectors of an EEPROM, individual blocks being provided with read/write access control and individual pages being additionally provided with write control. Page write is possible only if page and corresponding block write access is allowed. This document is not relevant because the problem of having to erase a sector for writing into a page or a partition thereof does not occur and, therefore, checking of an additional rule to allow erasure of the entire sector is not derivable from the document.
- (b) US 2002/002654 A1 (TOMOHIRO ICHIRO) 3 January 2002 (2002-01-03)

discloses read access control per sector of a flash memory. Each sector contains its own read access code which must correspond to an associated code. A sector may be erased and its security code rewritten. The document is not relevant because it does not refer to partitions of the memory.

- (c) US-A-5 678 027 (SCHRENK HARTMUT ET AL) 14 October 1997 (1997-10-14) discloses checking permission for data modification in a non volatile memory and whether the modification command derives from a defined address region. The document is not relevant because it does not refer to sectors, pages or partitions of the memory.

Cl. 2 - 4 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Cl. 6 and 7 are dependent on claim 5 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Cl. 8 contains all the features defined in claim 5 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Cl. 9 contains all the features defined in claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

4. The claimed subject-matter is industrially applicable.

SECTION VIII

1. The application does not meet the requirements of Article 6 PCT, because claims 3, 5 and 7 are not clear.
- (a) It is not clear what is meant by the "pages" mentioned in cl. 3 because no "pages" has been defined previously.
- (b) It is not clear what is meant by the "sector concerned" mentioned in cl. 5

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(SEPARATE SHEET)**

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because no such sector has been defined previously.

- (c) It is not clear in cl. 7 whether the pages are contained in the sectors or whether the sectors are contained in the pages.

- 2. In cl. 5 and 7 the reference signs should be placed in parentheses (Rule 6.2(b) PCT).

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